



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 390

**An Act to prohibit the distribution
of non-biodegradable plastic bags**

Introduction

**Introduced by
Mr. Stéphan Tremblay
Member for Lac-Saint-Jean**

**Québec Official Publisher
2005**

EXPLANATORY NOTES

This bill stipulates that it is forbidden to distribute non-biodegradable plastic bags, as part of a commercial operation, for the packaging of users' purchases.

The bill allows the Government to regulate the manufacture of biodegradable plastic bags.

Lastly, the bill provides penalties for offences and prescribes a two-year period before the law becomes applicable.

Bill 390

AN ACT TO PROHIBIT THE DISTRIBUTION OF NON-BIODEGRADABLE PLASTIC BAGS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. No one may, as part of a commercial operation, offer for sale, sell, distribute or otherwise place at the disposal of users non-biodegradable plastic bags intended for the packaging of their purchases.

A plastic bag is biodegradable if its manufacture involves the use of starch or an additive that accelerates the degradation of polyethylene, and if it degrades within five years as a result of the action of natural micro-organisms and generates by-products that are not toxic for the environment, such as water, carbon dioxide and methane.

2. The Government may, by regulation, determine the conditions or prohibitions applicable to the manufacture of biodegradable plastic bags. The regulation may, in particular,

(1) prohibit certain materials or certain mixtures or associations with other materials or elements in the manufacture of the bags;

(2) regulate the composition, form, volume, size and weight of the bags, among other things for the purposes of standardization;

(3) regulate the labelling or the marking of the bags, among other things to prescribe or prohibit the use of terms, logos, symbols or other representations intended to inform users of the advantages that the bags entail for the environment.

3. Whoever contravenes section 1 or a regulation made under section 2 commits an offence and is liable to a fine of not less than \$300 and not more than \$5,000.

Sections 109.1.1 to 112 of the Environment Quality Act (R.S.Q., chapter Q-2) apply, with the necessary modifications, to penal proceedings relating to the offence provided for in the first paragraph.

4. The Minister of Sustainable Development, Environment and Parks is responsible for the administration of this Act.

5. This Act comes into force on *(insert the date occurring two years after the date of assent to this Act)*.